

FINAL



WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
April 20, 2009

**PRESENT:** TOM CLOW, CHAIRMAN; RICHARD W. BUTT, VICE CHAIRMAN; KEITH R. LACASSE, SELECTMAN; JAMES DONISON, SELECTMAN

**RECORDING SECRETARY:** Cherry Palmisano

**GUESTS:** Carl Knapp, Chuck Metcalf, June Purington, Neal Kurk, Ian McSweeney, Valerie King

**7:00 p.m. Chairman Clow called the meeting to order.**

**Chairman Clow moved, Selectman Donison seconded to enter into non public session @ 7:05 p.m. pursuant to the authority granted in RSA 91-A:3, II (b & c). A roll call vote was taken, Vice Chairman Butt – yes; Selectman Donison – yes; Selectman Lacasse – yes; Chairman Clow – yes Passed 4-0-0**

Also present were Chuck Metcalf and Valerie King representing PARC. Mr. Metcalf presented the Board with a list of candidates to hire for summer work at Chase Park. He explained that the 12 candidates were chosen from 30 applicants. Board members asked questions concerning the selection process and the relationship of the candidates to PARC members.

**Chairman Clow moved, Selectman Donison seconded to come out of non public session @ 7:25 p.m. A roll call vote was taken, Vice Chairman Butt – yes; Selectman Donison – yes; Selectman Lacasse – yes; Chairman Clow – yes Passed 4-0-0**

**REAPPOINTMENTS TO ZONING BOARD** – Chairman Clow said the BOS is trying to set a precedence to meet with all board members before appointing or reappointing them to a committee. Chairman Clow asked Mr. Ian McSweeney what motivated him to want to be on the Zoning Board. Mr. McSweeney said he sees the growth in town and likes that there are processes in place in town. Mr. McSweeney said he is in favor of conservation as well and to be on the Zoning Board and have the power to help with decisions is very important to him. Vice Chairman Butt asked him what kind of cases they hear. Mr. McSweeney said the development of class VI roads, in-law apartments, in home businesses, and lot line adjustments are typical. It is slow right now due to the lack of development. Mr. McSweeney said they usually hear cases within 30 days of submittal and usually make decisions that night. There have been a few cases that have gone through the court system; 2 won their appeal and 1 did not. Vice Chairman Butt said there use to be ordinance in town that no houses or substantial improvements with additional living space can be done on class VI roads. Mr. McSweeney said that is correct and they have seen some cases. He has been on the Zoning Board for three years.

**Selectman Donison moved, Vice Chairman Butt seconded to reappoint Mr. Ian McSweeney to the Zoning Board for a three year term. Passed 4-0-0**

Ms. June Purington told the BOS she has been on the Zoning Board for 10-12 years. She has found that the zoning ordinance is different from many ordinances because it is not absolute. Selectman Lacasse asked if she felt the Zoning Board was easy as far as getting variances. Ms. Purington said this board is a lot stricter than they have been in the passed and the strictness depends on who is on the board. She feels they are requiring a lot more from people and making sure their information is complete. She thinks they are denying a lot more cases. Selectman Donison asked Ms. Purington what interests her to stay on the board. Ms. Purington said she has lived in town for a long time and is concerned with the direction of the town with her general concern being controlling the growth. Ms.

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Purington said there are restrictions on adding in-law apartments and how many living units in a house. Selectman Lacasse said he has been on the other side of zoning board quite often and said they should look at things to see if they are going to hurt someone else's rights or damage someone else's property. She agrees zoning ordinances are not set in place to punish people. Ms. Purington said if there is no impact on anyone else and no damage to the town it would be unreasonable to deny. Vice Chairman Butt asked if the board is fully staffed. She said they have 5 full time members and 2 alternates.

Selectman Donison moved, Vice Chairman Butt seconded to reappoint June Purington to the Zoning Board for a three year term. Passed 4-0-0

Chairman Clow said Jack Dearborn was unable to attend tonight's meeting, but he will come before the Board at a later time but in order to participate in the meetings needs to be reappointed tonight.

**Chairman Clow moved, Selectman Lacasse seconded to reappoint Jack Dearborn to the Zoning Board for a three year term on the condition he come before the Board. Passed 4-0-0**

**REAPPOINTMENT OT PLANNING BOARD** – Chairman Clow asked Mr. Neal Kurk why he wants to be a full time member. Mr. Kurk said he is concerned with the town and wants to make sure the Master Plan is implemented and he feels obligated to help the town. Mr. Kurk has served on the Planning Board as an alternate and feels Paul Morin allowed the alternates to participate. Mr. Kurk said his term on the Zoning Board is not up but his term on the Planning Board is. Chairman Clow said he thinks it is a conflict to be on both boards. Mr. Kurk said having one person on both boards' results in clarification and sometimes shortens the process; it is not required but it is allowed.

Vice Chairman Butt asked about the Growth Management Ordinance and forming a subcommittee to present a proposal to the Planning Board and asked if there is still a need. Mr. Kurk said the subcommittee was appointed by the Planning Board. When they reported back to the Planning Board they decided the ordinance the sub committee was proposing, was desirable, but too complicated for the town and no decision was made to reject it but no decision was made to accept it either. Mr. Kurk feels the best time to put a Growth Management Ordinance in place is this time when the growth slows down but they are still suffering from passed growth. He feels there will be significant growth in the town in a couple of years. Vice Chairman Butt asked about the correlation between the schools and the town. Mr. Kurk said there is no correlation, they had a problem with overcrowding of schools and it was resolved by building the new WMS. Mr. Kurk said the conditions necessary for the growth management ordinance no longer existed after the new WMS was built and the ordinance was no longer necessary. Mr. Kurk said the ordinance that the subcommittee was to put forward had nothing to do with the schools it had to do with other services in the town. Some of the things the committee discovered were recreational and library services.

Vice Chairman Butt asked about the Southern New Hampshire Planning Commission and the Central New Hampshire Planning Commission and the possibility of changing. Mr. Kurk said the issue has to do with the philosophy and approach these Commissions take. Mr. Kurk feels the SNHPC is more of a city feel while the CNHPC is more rural, but feels the service provided from SNHPC is quite good and the town has got their monies worth and sees advantages of each.

Selectman Lacasse asked about someone wanting to develop a property in town and their proposal does not harm abutters or anyone else, what is his philosophy of granting the variance. Mr. Kurk said a person should be able to do what they want on their property as long as they follow the rules and regulations. Most cases the philosophical question is not proposed the way Selectman Lacasse stated. There are a lot of gray areas where the Planning Board decides not to make a decision until the ZBA grants a variance or special exception. Vice Chairman Butt asked if there are some ordinances that don't have an appeal to the Zoning Board. Mr. Kurk said the Zoning Board has the right to grant appeals not the Planning Board. Vice Chairman Butt asked if some ordinances do not allow appeal. Mr. Kurk said he does not know, but if someone doesn't like the zoning ordinance they can always go to the Zoning Board for a variance, so he supposes so. Mr. Kurk said the Planning Board when it comes to variances is black and white because they know the Zoning Board is there.

Chairman Clow said they already made the appointment previously so Mr. Kurk could participate in other meetings.

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Chairman Clow said the non public dealt with hiring for summer positions for Chase Park.

**Chairman Clow moved, Selectman Donison seconded to nominate the people on the list. This includes life guards, gate keepers and assistant gate keepers. Passed 4-0-0**

*Head gate keeper:* Kathy Robichaud \$11.25

*Asst. Head gate keeper:* Julie Rhea \$9.25

*Life Guards:* Ben Carignan \$8.30, Nathan Goldsberry \$7.75, Anne McCardell \$7.75

*Gate Attendants:* Nicholas Metcalf \$7.50, Andrew Valpey \$7.50, Sean Laman \$7.25

*Alternates:* Amelia King \$7.25, Brian Robichaud \$7.25, Allison Dubois \$7.25, William Blouin \$7.25

Mr. Metcalf publically wanted to thank Mr. Knapp, the Highway crew, Tony Sawyer and the prisoners who cleaned up Chase Park from damage from the ice storm.

Mr. Metcalf said they have had extensive field damage at Ineson field. PARC has been debating locking Bolton Field, but decided to leave it open because of the trail access and the playground. Mr. Metcalf said they are trying to protect the town's assets. Mr. Metcalf said the only completely protected field is the baseball field at Bolton.

Mr. Metcalf said they asked 4-5 companies to come down and give estimates for the boat ramp at Chase Park, which was already approved. Out of the 4 companies, 2 submitted prices. Mr. Metcalf said they have conceptual approval to go ahead, but wanted to know if the Board wanted to approve the person to repair. Mr. Metcalf said the money will come from the Chase Park Capital Reserve Fund, \$25,000 in that fund and it will cost \$3,000 or less for this project. Mr. Metcalf said Kodiak Paving Co., here in town, bid \$2,580.

**Chairman Clow moved, Selectman Lacasse seconded to approve \$2,580 to have Kodiak Paving repair the boat ramp at Chase Park with the funds to come from Chase Park Repair and Maintenance Capital Reserve Fund. Passed 4-0-0**

**HIGHWAY DEPARTMENT DECISION ON PAVING BIDS** – Mr. Knapp said the 2 lowest bidders where Pike Paving and CLD; both references came back great. CLD did take out the escalation clause and then their price increased to \$241,280. Mr. Knapp said Pikes bid is \$237,705. Mr. Knapp said he compared price per ton and said the feeling in the industry is that in the summer the price could be going up. There is only a few thousand dollar difference between the 2 bids. The Pike bid is a clear cut bid with a bottom line price. Mr. Knapp said the tonnage could vary a bit; 3,500 tons of asphalt at \$68.90 per ton.

**Selectman Lacasse moved, Vice Chairman Butt seconded to accept Pike Industries proposal for the paving project at \$68.90 per ton. Passed 3-0-1 (Selectman Donison abstained)**

**STATE REPRESENTATIVE NEAL KURK** – Mr. Kurk said the House has passed a budget that did not include School Building Aid or Municipal Revenue Sharing. Mr. Kurk said this had been done since the early 1970's. Mr. Kurk said the town of Weare will lose \$40,000 and the school will lose its share of the \$80 million in school aid. Mr. Kurk said this not just for new projects but on the projects that were already built and committed on. Mr. Kurk is not sure of the offset, knows they get a certain amount and it is only paid while the bond is outstanding. Vice Chairman Butt said it is used as an offset to operating budget. Mr. Kurk said it offsets the operating budget and the capital budget 35% of the principal payment and it won't come in unless the Senate takes another position. Mr. Kurk said at the moment the responsibility is being shifted to property owners. Chairman Clow said he is not sure of the amount that comes in to the town and without that revenue that would be an additional \$.04 per thousand for each tax payer. Vice Chairman Butt said the tax rate is offset by revenues; they set the tax rate in October and have a better idea of the revenues coming in. Mr. Kurk asked when the Board prepares the info for the warrant articles. Vice Chairman Butt said they have an anticipated tax. Chairman Clow said they know as of right now the meals and rental tax is safe to come back to the town. Mr. Kurk said that won't decrease, level funded at the 2009 level for 2010 and 2011. Chairman Clow mentioned the 5% differentiation in the state retirement; the town has to pick up the 5% that would have come from the state in the past. Mr. Kurk said it is true that the % was decreased; this includes teachers, police, and fireman, but does not cover town employees. The state currently pays 35% of pension costs,

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lowered to 30% in 2010 and down to 5% in 2011. Mr. Kurk said they will be requiring for all those people to increase their contributions. That money will be used by the retirement system at a recalculation of what towns will need to pay. This will more than offset the loss of the revenue from the town and state share of percentage. Mr. Kurk said it works out very favorably for municipalities. Mr. Kurk said the Legislature proposed the increase on the employees.

Selectman Lacasse asked if the state is retracting money they were giving to the town and revenues are going down does that mean they also loosening the strings attached. Mr. Kurk said no. Mr. Kurk asked the Board to write a letter to Senator Janeway regarding the negative impact about the Municipal Revenue Sharing. Chairman Clow asked if that money does not come from those 2 areas where would it come from. Mr. Kurk said this is a time of a recession and it would be appropriate for the state to eliminate things that are not as important and not have to make town's raise taxes at the local level.

Mr. Kurk said the Senate is considering a proposal for gambling at the Race Tracks for additional revenues. Vice Chairman Butt asked when they will know. Mr. Kurk said they will know about the gambling decision late May early June. Mr. Kurk said if the Senate proposes this it would not be acceptable in the House and the budget has to be resolved by June 30. The legislature would continue at current level until a resolution is reached. Vice Chairman Butt said when they look at their budget they need to know the revenues; need to know when to expect a reduction in revenue from the state or the level funding. Mr. Kurk thinks most likely June 30. However, in the next couple of weeks the BOS needs to let their Senator know how strongly they feel about this. Selectman Lacasse asked how effective it would be to write a letter not only to their Senator but all the Senator's. Mr. Kurk said they could write a letter directly to Senator Janeway and have it distributed to other Senator's regarding the Municipal Revenue Sharing. Chairman Clow said they will decide whether they will act individually or as a Board.

**SKILL ASSESSMENT** – Vice Chairman Butt said there are classes available for Excel on May 11 and 12. Vice Chairman Butt said Mrs. Bolton checked and there are 2 openings. It would cost \$220 to send 2 employees and have them evaluate the course and possibly utilize the 2 employees who attend to train other employees. Vice Chairman Butt feels they are committed to do this because of the survey and the need to get employees trained and said they do have \$5,000 available from the cost savings from the Town Report and Mailer. There were 8 people who requested training in this software. Chairman Clow feels this is important to utilize these 2 openings to show the employees they are committed to follow through with the process. Vice Chairman Butt feels they should not cut training. Selectman Lacasse asked if the 2 employees they are considering sending are capable of training other employees. Vice Chairman Butt feels they should have employees go through training and then report to the Board if they feel they are capable of training other employees and what they got out of the training.

**Selectman Lacasse moved, Selectman Donison seconded to send two employees to Excel training for the cost of \$220. Passed 4-0-0**

**DECISION ON WATER HEATER FOR TOWN OFFICE** – Selectman Lacasse said the Building Committee met earlier today and Mr. George Malette took some time to review the options. The preferred cost was a 7 gallon point of use hot water heater for \$189.89. Selectman Lacasse said they would have the system set up on a timer when the building was in use. Selectman Lacasse said he does not know the total cost with installation. Chairman Clow said they could agree in concept that this is the way they want to go and wait until they know the cost of the timer and installation. Selectman Donison feels the timer would be around \$50 and the installation around \$200 with the total cost not exceeding \$500.

**Selectman Donison moved, Selectman Lacasse seconded to proceed with the 7 gallon point of use water heater with timer, with the material and installation not to exceed \$500 and the money to come from the Government Building and Maintenance Fund. Passed 4-0-0**

Selectman Lacasse said George Malette gave aerators to the town to have Malcolm Wright test the faucets in the Town Office Building and install them where necessary.

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Vice Chairman Butt is concerned with spending money from the Capital Reserve Fund and said it is adding up. He hopes that all the work being approved is being kept track of. There are some things that the Building Committee requested and he is not sure of how much of that \$40,000 request has been done.

Selectman Lacasse said there was a draft letter written by the Fire Engineer to the Fire Marshall that never was sent to the Fire Marshall stating what has been done. Chairman Clow said he thinks the letter was to inform the Fire Marshall of the plan. Chairman Clow said there has been a lot of communication and Ray Eaton, Chip Meany and Naomi Bolton have been through the building and Ray Eaton is really pleased with what he has seen. Chairman Clow said there are so many projects in this building and else where; next Thursday at 5:30 the Building Committee is going to be reviewing all the town buildings and prioritize them with cost and decide which steps to take.

**250<sup>th</sup> TOWN ANNIVERSARY COMMITTEE** – Chairman Clow said he has had 2 people indicate they were willing to serve on this committee, Sherry Burdick and Heleen Kurk. He does not have a proposal, or how many members should be on the committee, or who should be represented. Vice Chairman Butt would like to advertise and open it up to members of the community. Selectman Lacasse would not like to limit the number of members. Chairman Clow asked about a time line. The celebration will be in 2014, which allows plenty of time for fund raising. The Board discussed letting the committee come up with ideas and present them to the Board. Chairman Clow said if they are going to ask the committee to do fundraising, then they have to let them do that and come back before the Board with their ideas. Vice Chairman Butt feels there should be a historical component. Chairman Clow said it will be posted on the website and on channel 6 encouraging people to be involved and respond by June 15. The goal is to have enough volunteers to create a committee on June 15.

Chairman Clow said New Hampshire Magazine wants a local landmark that would be identifiable for each town. Selectman Donison feels they should get a recommendation from the Historical Society. The Stone Building and the Town Hall were mentioned. The deadline for identification is at the end of the week. The Board all agreed to identify the Stone Memorial Building.

Chairman Clow said he received an email from Donna Meuse informing them she has a job training club starting in May and would like a second outlet installed in the Welfare Office for an additional computer. There is \$500 in her office supply line. She is trying to be proactive for people coming to her to find jobs and would like to give them access to get help with their resumes and job applications. The Board agreed she should do this but not to exceed \$100.

Chairman Clow said they have two choices for the health insurance. Vice Chairman Butt said there was very little difference. Chairman Clow said according to Mrs. T. Connor's figures there is a difference of about \$6,500 for the second half of the year. Chairman Clow said there are two things to consider in making a decision because he would hate to tap into anyone's benefits when they have gone 2 years without a raise; however the difference is very insignificant. There would be a change in co-pay for generic and name brand prescriptions. Chairman Clow said they will have to take action soon. Vice Chairman Butt agrees with limiting the impact to employees. It was discussed there is a 1.9% decrease with a savings of \$40,000 and the difference is in the copayment of the medications. The new plan would have 3 levels for prescriptions and for that group there would be a higher prescription co-pay of \$45 for that small group of medications. Selectman Lacasse said the savings would benefit every tax payer in town when the increase in co-pay for a small number of medications could have no effect or very little effect on employees.

**Vice Chairman Butt moved, Selectman Donison seconded to accept the 1.9% decrease in health care insurance effective July 1, 2009. Passed 3-1-0**

**INVESTMENT POLICY** – It was discussed Mrs. T. Connor will email a copy to all Board members.

Chairman Clow said they need to schedule a work session on the personnel policy. Chairman Clow said last year they rewrote the personnel policy and were approximately half way through the policy. The Board said they could hold the work session on Monday, May 11. Vice Chairman Butt mentioned having Ms. Naomi Bolton attend to make the updates.

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The Board discussed they will meet to sign the Manifest on Friday, May 22 because of Memorial Day on Monday, May 25.

Vice Chairman Butt mentioned the conference table downstairs and moving it into the Selectmen's Conference Room and moving the current table up to the Conservation room.

Vice Chairman Butt said they met with the Chairman of the Board of Fire Wards, Jon Osborne, and the new interim Fire Chief, Ray Eaton. He said the meeting went well and they discussed the meeting the BOS had with other surrounding Fire Chiefs. Vice Chairman Butt said the new interim Fire Chief decision went well. They also discussed the role of liaison; the Board of Fire Wards was not sure of the role the person would play other than bringing information back to the BOS.

Selectman Lacasse would like to encourage people to come to their meeting next Monday at 7:00 p.m. for philosophical issues, regarding accepting money from stimulus funds.

### MANIFESTS

**Chairman Clow moved, Vice Chairman Butt seconded, to authorize the Board of Selectmen to sign Manifest and order the Deputy Treasurer to sign checks dated April 23, 2009. Passed 3-0-1**

<b>Accounts payable</b>	<b>\$26,998.75</b>	
<b>Gross Payrolls</b>	<b><u>\$46,268.06</u></b>	(Spec Detail, Credit Union, Taxes, Call Bonus, Forest Fire Training)
<b>Total</b>	<b>\$73,266.81</b>	

Selectman Donison noticed there was an officer that had 110 total hours for 1 week, including details and asked if they have heard anything from the Police Chief regarding new hires. The Board is very concerned for the welfare of the officer and the community. Selectman Donison mentioned possibly hiring from other town's for details. Vice Chairman Butt said when the Police Department is fully staffed the overtime hours are still high. Selectman Lacasse asked if there was a cap for the maximum hours worked per week that the Police Department could use. Selectman Donison would like an update on hiring for the open positions. The Board discussed having the Police Chief back to discuss the issue. Chairman Clow said a decision needs to be made to cut services and he feels it will have to lie on the Selectmen to make the decision to shorten or eliminate a shift and cut services due to budget constraints. Vice Chairman Butt said he is not uncomfortable tonight with dropping a shift. Chairman Clow said they should send something formal to the Police Chief asking him to attend the meeting and discussing the alternatives. Chairman Clow said his concern goes beyond the concerns of the budget as far as an officer working 110 hours of work in a week. Selectman Lacasse is in favor of not prolonging the process. Vice Chairman Butt said he feels the talking is over and they need to make a decision. There is a Manifest and public hearing next Monday and they will have the discussion with the Police Chief as well.

### MEETING MINUTES

**Chairman Clow moved, Selectmen Lacasse seconded to approve the minutes of April 6, 2009 minutes as amended. Passed 4-0-0**

**Chairman Clow moved, Selectmen Lacasse seconded to approve the minutes of April 13, 2009 minutes as written. Passed 3-0-1**

**ADJOURNMENT at 10:03 p.m.**

A True Record.

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Cherry Palmisano, Recording Secretary